

**EXHIBIT E TO THE DECLARATION OF BRAD E. KONSTANT  
IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE  
TO TAKE EXPERT DEPOSITIONS, DATED APRIL 1, 2013**



**BrokerCheck Report**  
**JOHN ANTHONY TABACCO JR**  
**CRD# 2239885**  
Report #24674-98263, data current as of Tuesday, March 12, 2013.

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## About BrokerCheck®

BrokerCheck offers information on all current and many former-FINRA-registered securities brokers, and all current and former FINRA-registered securities firms. FINRA strongly encourages investors to use BrokerCheck to check the background of securities brokers and brokerage firms before deciding to conduct, or continue to conduct, business with them.

- **What is included in a BrokerCheck report?**

BrokerCheck reports for individual brokers include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards. BrokerCheck reports for brokerage firms include information on a firm's profile, history, and operations, as well as many of the same disclosure events mentioned above.

Please note that the information contained in a BrokerCheck report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the broker or brokerage firm, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**

The information contained in BrokerCheck comes from FINRA's Central Registration Depository, or CRD®, and is a combination of:

- o information FINRA and/or the Securities and Exchange Commission (SEC) require brokers and brokerage firms to submit as part of the registration and licensing process, and
- o information that regulators report regarding disciplinary actions or allegations against firms or brokers.

- **How current is this information?**

Generally, active brokerage firms and brokers are required to update their professional and disciplinary information in CRD within 30 days. Under most circumstances, information reported by brokerage firms, brokers and regulators is available in BrokerCheck the next business day.

- **What if I want to check the background of an investment adviser firm or investment adviser representative?**

To check the background of an investment adviser firm or representative, you can search for the firm or individual in BrokerCheck. If your search is successful, click on the link provided to view the available licensing and registration information in the SEC's Investment Adviser Public Disclosure (IAPD) website at <http://www.adviserinfo.sec.gov>. In the alternative, you may search the IAPD website directly or contact your state securities regulator at <http://www.nasaa.org>.

- **Are there other resources I can use to check the background of investment professionals?**

FINRA recommends that you learn as much as possible about an investment professional before deciding to work with them. Your state securities regulator can help you research brokers and investment adviser representatives doing business in your state.

**Thank you for using FINRA BrokerCheck.**



Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at [brokercheck.finra.org](http://brokercheck.finra.org)



For additional information about the contents of this report, please refer to the User Guidance or [www.finra.org/brokercheck](http://www.finra.org/brokercheck). It provides a glossary of terms and a list of frequently asked questions, as well as additional resources. For more information about FINRA, visit [www.finra.org](http://www.finra.org).

**JOHN A. TABACCO JR****CRD# 2239885**

This broker is not currently registered with FINRA.

**Report Summary for this Broker**

This report summary provides an overview of the broker's professional background and conduct. Additional information can be found in the detailed report.

**Broker Qualifications**

This broker is not currently registered with FINRA.

**This broker has passed:**

- 1 Principal/Supervisory Exam
- 1 General Industry/Product Exam
- 1 State Securities Law Exam

**Registration History**

This broker was previously registered with FINRA at the following brokerage firms:

**FIRST HANOVER SECURITIES, INC.**

CRD# 14469

STATEN ISLAND, NY

11/1995 - 10/1996

**RUSSO SECURITIES INC.**

CRD# 14425

STATEN ISLAND, NY

02/1994 - 03/1995

**FIRST HANOVER SECURITIES, INC.**

CRD# 14469

STATEN ISLAND, NY

09/1992 - 02/1994

**Disclosure Events**

This broker has been involved in one or more disclosure events involving certain final criminal matters, regulatory actions, civil judicial proceedings, or arbitrations or civil litigations.

Are there events disclosed about this broker? **Yes**

The following types of disclosures were reported:

Regulatory Event



## Broker Qualifications



### Registrations

This section provides the self-regulatory organizations (SROs), states and U.S. territories the broker is currently registered and licensed with, the category of each registration, and the date on which the registration became effective. This section also provides, for each firm with which the broker is currently employed, the address of each branch where the broker works.

This broker is not currently registered with FINRA.

## Broker Qualifications



### Industry Exams this Broker has Passed

This section includes all securities industry exams that the broker has passed. Under limited circumstances, a broker may attain a registration after receiving an exam waiver based on exams the broker has passed and/or qualifying work experience. Any exam waivers that the broker has received are not included below.

This individual has passed 1 principal/supervisory exam, 1 general industry/product exam, and 1 state securities law exam.

#### Principal/Supervisory Exams

Exam	Category	Date
General Securities Principal Examination	Series 24	02/08/1996

#### General Industry/Product Exams

Exam	Category	Date
General Securities Representative Examination	Series 7	06/10/1992

#### State Securities Law Exams

Exam	Category	Date
Uniform Securities Agent State Law Examination	Series 63	06/25/1992

Additional information about the above exams or other exams FINRA administers to brokers and other securities professionals can be found at [www.finra.org/brokerqualifications/registeredrep/](http://www.finra.org/brokerqualifications/registeredrep/).

## Registration and Employment History



### Registration History

This broker previously was registered with FINRA at the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
11/1995 - 10/1996	FIRST HANOVER SECURITIES, INC.	14469	STATEN ISLAND, NY
02/1994 - 03/1995	RUSSO SECURITIES INC.	14425	STATEN ISLAND, NY
09/1992 - 02/1994	FIRST HANOVER SECURITIES, INC.	14469	STATEN ISLAND, NY
06/1992 - 09/1992	D. H. BLAIR & CO., INC.	6833	NEW YORK, NY

### Employment History

Below is the broker's employment history for up to the last 10 years.

Please note that the broker is required to provide this information only while registered with FINRA and the information is not updated after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.

Employment Dates	Employer Name	Employer Location
No information reported.		

## Disclosure Events



What you should know about reported disclosure events:

1. **Disclosure events in BrokerCheck reports come from different sources:**
  - As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, their employing firms, and regulators. When more than one source reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions are separated by a solid line with the reporting source labeled.

For your convenience, below is a matrix of the number and status of regulatory disclosure events involving this broker. Further information regarding these disclosure events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding the regulatory disclosure events.

Regulatory Event	Final	On Appeal
	1	0





## Disclosure Event Details

This report provides the information exactly as it was reported to CRD and therefore some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

### Regulatory - Final

This type of disclosure event involves a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulator such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations.

### Disclosure 1 of 1

**Reporting Source:** Regulator  
**Regulatory Action Initiated By:** NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

**Sanction(s) Sought:**

**Other Sanction(s) Sought:**

**Date Initiated:** 11/15/1996

**Docket/Case Number:** C10960146

**Employing firm when activity occurred which led to the regulatory action:**

**Product Type:** Other

**Other Product Type(s):** UNKNOWN TYPE OF SECURITIES

**Allegations:** COMPLAINT NO. C10960146 FILED NOVEMBER 15, 1996 BY DISTRICT NO. 10 AGAINST JOHN ANTHONY TABACCO, JR. ALLEGING VIOLATIONS OF NASD RULE 2110 IN THAT RESPONDENT TABACCO EXECUTED, OR CAUSED TO BE EXECUTED, 11 TRANSACTIONS IN 3 UNRELATED CUSTOMER ACCOUNTS WITHOUT THE PRIOR KNOWLEDGE, AUTHORIZATION OR CONSENT OF THE RESPECTIVE CUSTOMERS.

**Current Status:** Final

**Resolution:** Decision

**Resolution Date:** 03/20/1997

**Sanctions Ordered:** Bar  
 Censure  
 Disgorgement/Restitution  
 Monetary/Fine \$50,000.00



**Other Sanctions Ordered:**

**Sanction Details:**

DECISION RENDERED FEBRUARY 3, 1997, WHEREIN RESPONDENT TABACCO IS CENSURED, FINED \$50,000, BARRED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY, ORDERED TO PAY \$20,000 IN RESTITUTION TO MEMBER FIRMS, AND REQUIRED TO DISGORG \$4,609.75 IN COMMISSIONS. IF NO FURTHER ACTION, DECISION IS FINAL MARCH 20, 1997. \*\*FINES & COSTS INVOICE #97-10-707\*\*



**End of Report**

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